

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

IN RE KRAFT HEINZ SECURITIES
LITIGATION

C.A. No. 1:19-cv-01339

Honorable Jorge L. Alonso

**PLAINTIFFS' MOTION FOR
APPROVAL OF DISTRIBUTION PLAN**

Lead Plaintiffs Sjunde AP-Fonden and Union Asset Management Holding AG, and additional named plaintiff Booker Enterprises Pty Ltd. (collectively, "Plaintiffs"), on behalf of themselves and the Settlement Class, by and through their attorneys, hereby move this Court for approval of their proposed distribution plan pursuant to Federal Rule of Civil Procedure 23(e) and this Court's Order Approving Plan of Allocation of Net Settlement Fund (ECF No. 491) and Judgment Approving Class Action Settlement (ECF No. 490), and for entry of the accompanying [Proposed] Order Approving Distribution Plan ("Class Distribution Order"). This Motion is based upon (i) the Declaration of Luiggy Segura in Support of Plaintiffs' Motion for Approval of Distribution Plan ("Segura Declaration") submitted on behalf of the Court-authorized Claims Administrator, JND Legal Administration ("JND"); (ii) the Memorandum of Law in Support of Plaintiffs' Motion for Approval of Distribution Plan ("Memorandum"); and (iii) all other papers and proceedings herewith.¹

Among other things, the Class Distribution Order will: (i) approve the administrative determinations of JND accepting and rejecting the Claims submitted in connection with the Settlement reached in the above-captioned Action; (ii) direct the Initial Distribution of the Net

¹ All terms with initial capitalization not otherwise defined herein shall have the meanings ascribed to them in the Segura Declaration or the Stipulation and Agreement of Settlement dated May 2, 2023 (ECF No. 475-3) ("Stipulation").

Settlement Fund to Claimants whose Claims are accepted by JND as valid and approved by the Court (“Authorized Claimants”), while maintaining a Reserve for any tax liability or claims administration-related contingencies that may arise following the Initial Distribution; (iii) direct that distribution checks state that the check must be cashed within 90 days after the issue date; (iv) direct that Authorized Claimants will forfeit all recovery from the Settlement if they fail to cash their distribution checks in a timely manner; (v) approve the recommended plan for any funds remaining after the Initial Distribution; (vi) approve JND’s fees and expenses incurred and estimated to be incurred in the administration of the Settlement and the Initial Distribution; (vii) release claims related to the administration process; and (viii) authorize the destruction of Claim Forms and supporting documents at an appropriate time.

As set forth in the Segura Declaration, there are currently five (5) Claimants with outstanding requests for Court review of JND’s administrative determination with respect to their Claims (“Disputed Claims”). Upon the filing of this Motion, Lead Counsel will send each Claimant with a Disputed Claim a copy of this Motion, the Memorandum, the Segura Declaration, Exhibit D to the Segura Declaration along with the supporting documentation that relates to the Claimant’s Disputed Claim, and the proposed Class Distribution Order. Lead Counsel will inform these Claimants that they do not need to take any further action to have the Court consider their dispute; however, if these Claimants wish to make an additional submission, they should direct it to the Court’s attention with a copy to Lead Counsel postmarked no later than February 11, 2025. If any such submission is made, Lead Counsel will submit a reply by February 18, 2025 addressing such submission.

Defendants have stated that they take no position on the Motion and, pursuant to the terms of the Stipulation, Defendants have no interest in the relief sought by the Motion.

Dated: January 27, 2025

Respectfully submitted,

**KESSLER TOPAZ
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/s/ Sharan Nirmul

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